

EXHIBIT 8

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May 10, 2024

Jack Wheat, Esq. – via email jwheat@mcbayerfirm.com
McBrayer
500 West Jefferson Street
Suite 2400
Louisville, Kentucky 40202

Re: Highline Spirits Company, LLC adv Vosa Spirits
Our Ref.: 224425/2

Dear Jack:

We are in receipt of your letter of May 2, 2024, addressed to our client Vosa Spirits in relation to use of the words **HIGH LINE** in connection with the ready to drink (“RTD”) Vodka cocktail products sold by our client. As I am sure your research has shown, Vosa sells a purified water product along with a carbonated purified water product, and uses the **HIGH LINE** designation for the carbonated version. It is not using **HIGH LINE** (or **HIGHLINE**) as a primary mark for its **VOSA** RTD products.

Your research should also have indicated that this product has been on the market in the United States for well over a year now. The first sales of the carbonated **VOSA** RTD products using the **HIGH LINE** designation were made in March of 2023, well before the first use date for your client’s distilled spirits products sold under the **HIGHLINE** mark.

I took a look at the **HIGHLINE** spirits website. It is clear to me that there is no likelihood that anyone would confuse the RTD carbonated water and vodka products sold by Vosa with the distilled spirits sold by your client. We are certainly happy to give you assurances that Vosa will not use the **HIGH LINE** mark within the distilled spirits field and will not be selling whisky, bourbon, rum or any other type of distilled spirit with this mark. Our client’s use of the **HIGH LINE** designation will be limited to carbonated water and vodka RTD products and only in close connection with the **VOSA** mark. Moreover, if you review the factors for likelihood of confusion, the channels of trade, methods of marketing and class of customers are quite different. For example, your client’s line of products are distilled spirits, with a whiskey base, proof of 97 to 112,

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and price between \$52.39–\$145.09/unit¹; meanwhile, Vosa’s products with the **HIGH LINE** designation are RTD carbonated waters, with a vodka base, proof of 14, and retails for a price between \$2.25–\$3.00/unit (sold in an 8 pack variety and 4 pack single flavors). The foregoing attributes appeal to entirely different customers, taste profiles, and markets; moreover, the two are likely positioned in different aisles and/or sold by different retailers.

Please review this with your client as we simply do not see that there is any likelihood that anyone would confuse the products of Highline Spirits with those of Vosa.

Sincerely yours,

HOLLAND & KNIGHT LLP



Thomas W. Brooke

Cc: Jason Barker, Esq.
Dennis Gonzalez, Esq.

¹ Source: <https://shop.highlinespirits.com/>